



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
1322 PATTERSON AVENUE, SE, SUITE 1000
WASHINGTON NAVY YARD, DC 20374-5065

5720

Ser BD/ 062

SEP 17 2019

Mr. Frank Janicek
1815 Escambia Avenue
Pensacola, FL 32503

Dear Mr. Janicek,

Subj: YOUR FREEDOM OF INFORMATION ACT (FOIA); CASE NUMBER
DON-NAVY-2019-004076

We are writing to respond to a referral by the Naval Criminal Investigate Service (NCIS) for your request of "...documents for Case number 201704431 of IG report and any action taken by NAVFAC SE management."

We have enclosed four documents consisting of 27 pages total. Two documents are being held "in full" under Exemption 6; and portions of the other two documents are being released to you "in part" under the following FOIA Exemptions:

- (1) Exemption 6 allows an agency to withhold "personnel, medical files, and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." 5 U.S.C. § 552(b)(6).
- (2) Exemption 7(c) would constitute an unwarranted invasion of personal privacy because they identify individuals referenced in law enforcement. 5 U.S.C. § 552(b)(7)(c).
- (3) Exemption 7(d) protects law enforcement records if their release could reasonably be expected to disclose the identity of a confidential source. 5 U.S.C. § 552(b)(7)(d).

If you consider this response an adverse determination, you may appeal. Since you have created an account in FOIAonline, you may submit an appeal directly within this web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

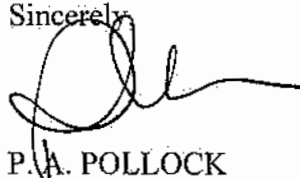
The Department of the Navy
Office of the General Counsel (ATTN: FOIA APPEALS)
1000 Navy Pentagon, Room 5A532
Washington, DC 20350-1000

Your appeal, if any, must be postmarked within 90 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating

why you believe your appeal should be granted. For any further assistance and to discuss any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at christopher.a.julka@navy.mil or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-01, ogis@nara.gov; (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Further questions regarding the action this office has taken may be directed to Abby Machalec, abby.machalec@navy.mil. Please refer to your FOIA case number DON-NAVY-2019-004076 whenever corresponding about this request.

Sincerely,

A handwritten signature in black ink, appearing to be 'P. A. Pollock', written over a horizontal line.

P. A. POLLOCK
Chief Management Officer

Copy to:
NAVFAC (IG, 00C)